

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

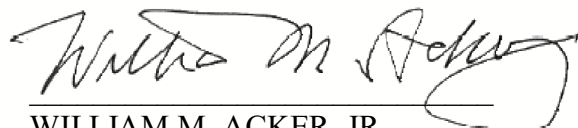
WILLIAM MACON,)	
)	
Plaintiff,)	
)	
vs.)	2:02-cv-02228-WMA-PWG
)	
C.M.S. MEDICAL SERVICES, INC., ET AL.,)	
)	
Defendants.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on June 23, 2005, recommending that the defendants' motions for summary judgment be granted and this cause be dismissed with prejudice. Plaintiff filed objections on July 11, 2005.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections filed by the plaintiff, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motions for summary judgment are due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

DONE this the 29th day of July, 2005.


WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE